

JUNE 28, 2005

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MINUTES**

7:00 P.M.

Following a Work Session meeting, the Regular Session was called to order at 7:06 P.M., by Mayor Ferguson with Councilmembers Medina, Harriman, Miller and Nesbitt present along with City Attorney Landwehr, City Manager Collins, City Clerk Davidson, Finance Director Hanson, Community Development Director Westbay, Public Works Director Coleman, Planning Technician Ruggera, and several interested citizens.

Mayor Ferguson asked Judy Klinker to come forward. Council passed a Resolution commending Mrs. Klinker at the May 24, 2005, Regular Session, but Mrs. Klinker was unable to attend the meeting. The Mayor read Resolution No. 21, Series 2005, Commending Judy Klinker for Her Service on the City of Gunnison Zoning Board of Adjustment and Appeals, in its entirety and Council thanked Mrs. Klinker for her service.

Mayor Ferguson asked Council to add the following item to the Agenda under New Business "D": Letter to UGRWCD Concerning HB1177. Council concurred to add the item.

Consideration of Minutes:

Regular Session Minutes of June 14, 2005

Councilmember Nesbitt moved and Councilmember Miller seconded the motion to approve the Regular Session Minutes of June 14, 2005, as submitted.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on Challenge Grant Application from Gunnison Area Community Foundation in the Amount of \$1,753 for "Mountains, Melodies and Memories". This item was discussed in the Work Session prior to the Regular Session. The Challenge Grant Committee recommended denial of the application for funds because of the profit projections in the submitted budget. Discussion ensued on types of events to be funded by the Challenge Grant Program. One option discussed was for the City to buy a block of tickets to the event to help support the fundraising activities.

Councilor Nesbitt moved and Councilor Miller seconded the motion to award \$1,000 from the Challenge Grant Funds for advertising of the Gunnison Area Community Foundation's "Mountains, Melodies, and Memories" Fundraiser.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.

Roll call vote, no: None.

Council asked for a meeting with the Challenge Grant Committee to discuss goals, policies and direction. Staff will arrange the meeting.

O'Connor Minor Subdivision. Community Development Director Westbay informed Council the application is to subdivide an existing parcel of .83 acres into two parcels. The property is located south of the Community School and accessed via Denver Avenue. The Planning and Zoning Commission established three conditions during their review and the first two conditions have already been met. The third will be addressed when the building permit is submitted. The Planning & Zoning Commission and Staff recommend approval of the Minor Subdivision Application.

Councilor Nesbitt moved and Councilor Medina seconded the motion to accept the Planning and Zoning Commission and Staff's recommendation and approve the minor subdivision application for Lot B, Block 95, West Gunnison Amended as proposed by Jim and Donna O'Connor with the three conditions outlined in the memo, dated June 28, 2005, from Director Westbay.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.
Roll call vote, no: None.

Action on Request to State Auditor for Extension of City Audit Approval. Finance Director Hanson and City Auditor Dean Johnson are requesting Council authorize the Mayor to sign an extension request to the State Auditor's office to allow for more time for the City to finalize the 2004 City Audit to comply with the Governmental Accounting Standards Board Statement (GASB) #34. Director Hanson stated it is not unusual for a governmental entity to request such an extension the first year they are to comply with the new standards and the State has been very amenable to this type of extension request. The City audit will be presented to Council on August 23, will come before Council for action on September 13, and will be submitted to the State by the amended September 30, deadline.

Councilor Nesbitt moved and Councilor Harriman seconded the motion to authorize the Mayor to sign the Request for Extension of Time to file the 2004 Audit with the State Auditor's office.

Roll call vote, yes: Miller, Nesbitt, Medina, Harriman, Ferguson. So carried.
Roll call vote, no: None.

Letter to UGRWCD Concerning HB 1177. This agenda item was added at the start of the meeting. Councilor Nesbitt and Councilor Harriman attended the meeting last week with the Upper Gunnison River Water Conservancy District to discuss the selection of representatives for the Gunnison Basin Water Roundtable. Discussion ensued concerning a draft letter to the Board of Directors of the Upper Gunnison River Water Conservancy District from the City Council and a draft letter from the UGRWCD to Russell George with the Department of Natural Resources concerning questions regarding the Roundtable selection and participation process. City Attorney Landwehr commented the Bill was poorly written. Consensus was to write a letter to the UGRWCD endorsing the letter composed by Karen Shirley to Russell George and for the City Manager to compose a letter to Russell George for all of Council's signatures stating Council's concerns about the Water Roundtable process. Concerns included: the vague selection process; the Federal government not being involved in the discussions; How funding will be dispersed for travel expenses; What entity will be responsible for the logistics of the meetings; and the unfunded mandate aspect of the Roundtable.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to send a letter from City Council to the Upper Gunnison River Water Conservancy District endorsing the letter drafted by Karen Shirley to be sent to Mr. Russell George of the Department of Natural Resources.

Roll call vote, yes: Nesbitt, Medina, Harriman, Ferguson, Miller. So carried.
Roll call vote, no: None.

Councilor Harriman moved and Councilor Medina seconded the motion to send a strong statement letter from City Council to Mr. Russell George of the Department of Natural Resources stating the City's concerns about the House Bill 05-1177 Water Roundtable process and to copy the letter to the UGRWCD and other local governmental entities.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.
Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 8, Series 2005, Re: Amending the Underlying Planned Unit Development Zoning District from R-2 to R-2M of Lot 22, The Meadows Phase 2-R, and Amending the Official Zoning Map of the City of Gunnison, 2nd Reading.

Councilor Miller introduced Ordinance No. 8, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 8, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE UNDERLYING ZONING DISTRICT CLASSIFICATION OF A PARCEL OF LAND DESCRIBED AS LOT 22, THE MEADOWS PHASE 2-R, ACCORDING TO THE RECORDED PLAT THEREOF BEARING RECEPTION NO. 468719 OF THE RECORDS OF GUNNISON COUNTY, COLORADO, FROM R-2 PLANNED UNIT DEVELOPMENT DESIGNATION TO R-2M PLANNED UNIT DEVELOPMENT DESIGNATION, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO,** be introduced, read, passed and adopted on second reading this 28th day of June, 2005.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.
Roll call vote, no: None.

Ordinance No. 9, Series 2005; Re: Vacation of a Portion of West New York Avenue, Correcting Legal Description in Ord. 20, Series 1981; 1st Reading.

Councilor Miller introduced Ordinance No. 9, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 9, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON CORRECTING THE LEGAL DESCRIPTION OF THE PORTION OF NEW YORK AVENUE VACATED PURSUANT TO CITY OF GUNNISON ORDINANCE NO. 20, SERIES 1981,** be introduced, read, passed and ordered published on first reading this 28th day of June, 2005.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.
Roll call vote, no: None.

Ordinance No. 10, Series 2005; Re: Adopting an Additional Appropriation for the Fiscal Year Ending December 31, 2005; 1st Reading.

Councilor Miller introduced Ordinance No. 10, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 10, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005,** be introduced, read, passed and ordered published on first reading this 28th day of June, 2005.

Roll call vote, yes: Miller, Nesbitt, Medina, Harriman, Ferguson. So carried.
Roll call vote, no: None.

Resolution No. 22, Series 2005, Re: Approving Intergovernmental Agreement with Gunnison County Metropolitan Recreation District for Dispersal of Conservation Trust Fund Monies.

Councilor Miller introduced Resolution No. 22, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Council Medina seconded the motion that Resolution No. 22, Series 2005, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AUTHORIZING THE EXECUTION OF THE AMENDED AGREEMENT BETWEEN THE CITY OF GUNNISON AND THE GUNNISON COUNTY**

METROPOLITAN RECREATION DISTRICT, be introduced, read, passed and adopted this 28th day of June, 2005.

Roll call vote, yes: Nesbitt, Medina, Harriman, Ferguson, Miller. So carried.

Roll call vote, no: None.

Resolution No. 23, Series 2005, Re: Approving Intergovernmental Agreement for Emergency Services.

Councilor Miller introduced Resolution No 23, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Resolution No. 23, Series 2005, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, APPROVING AND AUTHORIZING THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT FOR EMERGENCY MANAGEMENT**, be introduced, read, passed and adopted this 28th day of July, 2005.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

City Attorney: Nothing further to report.

City Manager: Mark Collins: 1. Informed Council former Police Chief Keehne formulated and brought forth Resolution No. 23, concerning the emergency services agreement before he retired. 2. Sales tax is up approximately 9.5% in May and up slightly over 5% year to date. Use tax is up approximately 75% due to the Holiday Inn Express project and not many refunds have been requested to date. 3. The Council field tour is scheduled for next Tuesday's Work Session meeting.

Acting City Manager/City Clerk: Gail Davidson: Stated Council had received the Clerk's Department semi-annual report in their packets. She highlighted the election costs and statistics, Youth City Council activities and the Customer Service Work Team accomplishments.

Non-Scheduled Citizens:

Butch Clark addressed Council. He discussed: Results of the UGRWCD meeting he attended, urged Council to support the USGS Water Quality Monitoring Project at budget time since the project funds had been decreased on the Federal level; and asked Council to look forward toward the future in the Water Roundtable process.

Richard Karas came forward. He thanked Councilors Harriman and Nesbitt for their efforts with the water issues. He asked if the Council knew if any foreign corporations are buying water rights. A little paranoia is not bad. Councilor Nesbitt voiced his concerns about Dave Miller's alliance with Senator Dyer. Council stated they need to remain vigilant.

General Discussion/Items for Work Session:

Councilor Harriman: Report on Planning Commission Meeting and Gunnison Housing Authority Meeting. At the Planning Commission meeting, the County dropped their East Denver Avenue street vacation application. The Commission will be touring the City next week to look at development sites that may be addressed in the Master Plan revision. She also attended the Gunnison Housing Authority (GHA) meeting. The Mountain View Apartments are seeing declining HUD monies and Section 8 Housing subsidies. The County has asked Director Denise Wise to come up with affordable housing funding ideas. A "Housing Trust Fund" funded by the local governmental entities may be on the horizon.

Councilor Medina: Report on Gunnison Valley Economic Development Meeting and Regional Transportation Authority Meeting. He attended the Gunnison Valley Economic Development Corporation (GVEDC) meeting last week. The GVEDC will be entertaining another prospective business group in August. Some sort of incentives may have to be discussed again in the future. Gunnison just can't compete. He also attended the Regional Transportation Authority (RTA) meeting. Financial information on the bus service between Gunnison and Crested Butte was discussed. The service is now subsidized at approximately \$7.00 per person. Flight bookings are looking good. Gunnison will lose Houston air service but will gain Dallas/Ft. Worth. American Airlines will be back for the first time in three years.

Mayor Ferguson: Reported on Mayors'/Managers' Meeting. The City hosted at the new Community Center. They discussed water issues, possible sage grouse species designation, housing issues, the AARF Building open house, controlled burns by the Forest Service, work being down at the High School and Lake Administration building, the Crested Butte Arts & Rec Program, and the new development at CBMR and Mt. Crested Butte.

Councilor Miller: Attended the Firemen's Pension Fund Trustees meeting. They are looking at maximizing the financial contribution from the State. They would like to bolster the fund and will bring up an increase in City contribution at budget time. Councilor Miller also asked to have weed nuisance problems and the Rio Grande corridor berms be added to a future Work Session agenda for discussion.

Councilor Nesbitt: Stated he had one citizen call him regarding opposition to the Farmers' Market.

Adjournment: The meeting adjourned at 8:39 P.M.

Mayor

City Clerk